

**CITY OF SAN DIEGO
MEMORANDUM**RECEIVED
CITY CLERK'S OFFICE
09 JAN -6 PM 2:55
SAN DIEGO, CALIF.

DATE: January 6, 2009

TO: Elizabeth Maland, City Clerk

FROM: John Montes de Oca, Associate Land Surveyor *jm*

SUBJECT: Approval of the final map "4666 Utah Street Condominiums"

The City Engineer has examined and states that he can make the necessary findings to approve the final map "4666 Utah Street Condominiums". Pursuant to Section 125.0630 M.C., please place the following notice as an information item in the Council Docket for January 12, 2009.

NOTICE of Pending Final Map Approval

Notice is hereby given that the City Engineer has reviewed and will approve on the date of this City Council meeting that certain final map entitled "4666 Utah Street Condominiums" (T.M. No. 65412, PTS No. 149681) located on Utah Street between Adams Avenue and Madison Avenue in the Mid-City: Greater North Park Community Plan area in Council District 3, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact John Montes de Oca at (619) 557-7994.

cc: Job No. 430288, PTS No. 149681

Attachments: Vicinity map, reduced copy of map

000411

MAP NO.

SHEET 1 OF 2 SHEETS

4666 UTAH STREET CONDOMINIUMS

OWNERS' STATEMENT

WE HEREBY CERTIFY WE ARE THE OWNERS OF, OR HAVE INTEREST IN THE LAND EMERGED WITHIN THE SUBDIVISION TO BE KNOWN AS 4666 UTAH STREET CONDOMINIUMS, AND WE HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP CONSISTING OF TWO SHEETS AND DESCRIBED IN THE CAPTION THEREOF.

IT IS OUR INTENT TO SUBMIT THIS MAP TO THE CITY ENGINEER FOR REVIEW AND RECORDATION. OUR ENTIRE INTEREST IN THE REAL PROPERTY SHOWN ON THIS MAP WITHIN THE HEAVY BORDER INCLUDING ANY REVERSIONARY RIGHTS THAT MAY EXIST WITHIN THE ADJOINING PUBLIC RIGHTS-OF-WAY, IT IS NOT OUR INTENT TO ALTER OR SEVER THE LEGITIMATE RIGHTS OF OTHERS WHO MAY HAVE A CLAIM ON THOSE REVERSIONARY RIGHTS THROUGH PRIOR CONVEYANCES.

OLEN WOODSON MERCER AND BARBARA ANN MERCER, TRUSTEES OF THE MERCER FAMILY TRUST DATED FEBRUARY 18, 2005.

BY: Olen Woodson Mercer NAME: OLEN WOODSON MERCER
TITLE: TRUSTEE OF THE MERCER FAMILY TRUST U/D/T 2-18-05
BY: Barbara Ann Mercer NAME: BARBARA ANN MERCER
TITLE: TRUSTEE OF THE MERCER FAMILY TRUST U/D/T 2-18-05

FIRST FEDERAL BANK OF CALIFORNIA AS BENEFICIARY UNDER DEED OF TRUST RECORDED SEPTEMBER 13, 2006 AS DOCUMENT NUMBER 2006-0449722 OF OFFICIAL RECORDS.

BY: Carol A. Barker NAME: CAROL A. BARKER
TITLE: Sr. Vice President
BY: Darin Nishimura NAME: Darin Nishimura
TITLE: Sr. Vice President

SIGNATURE OMISSION STATEMENT

THE SIGNATURE OF THE CITY OF SAN DIEGO, OWNER OF A RIGHT-OF-WAY FOR STREET PURPOSES AS DEDICATED BY AMENDED MAP THEREOF MADE BY G.A. D'HEMECOURT, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY IN BOOK 8, PAGE 36 OF US PENDENTS, HAS BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436, SUBSECTION(a)(3)(A)(i) OF THE SUBDIVISION MAP ACT. THEIR INTEREST IS SUCH THAT THEY CANNOT RIPEN INTO A FEE TITLE AND SAID SIGNATURE IS NOT REQUIRED BY THE GOVERNING BODY.

SIGNATURE OMISSION STATEMENT

THE SIGNATURE OF COX CABLE OF SAN DIEGO, INC., EASEMENT HOLDER(S) BY DEED(S) RECORDED DECEMBER 7, 1990 AS DOCUMENT NO. 90-653802, HAS BEEN OMITTED IF THE NAME(S) AND THE NATURE OF THEIR INTEREST ARE STATED ON THE MAP AND IS NOT REQUIRED BY THE GOVERNING BODY IN ACCORDANCE WITH SECTION 66436, (a)(3)(A)(i-iv) OF THE SUBDIVISION MAP ACT. THEIR INTEREST IS SUCH THAT THEY CANNOT RIPEN INTO A FEE TITLE AND SAID SIGNATURE IS NOT REQUIRED BY THE GOVERNING BODY.

(STATE OF CALIFORNIA)

(COUNTY OF Los Angeles)

ON 2/12/08 BEFORE ME Ruthie Scott A NOTARY PUBLIC PERSONALLY APPEARED,

Carol A. Barker and Darin Nishimura

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/they EXECUTED THE SAME IN HIS/HER/their AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/their SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT. WITNESS MY HAND.

SIGNATURE Ruthie Scott A NOTARY PUBLIC IN AND FOR THAT STATE
PRINT NAME Ruthie Scott COMMISSION # OF
MY COMMISSION EXPIRES ON March 8, 2008 NOTARY: 1808060

MY PRINCIPAL PLACE OF BUSINESS IS IN Los Angeles COUNTY

LEGAL DESCRIPTION

BEING A CONSOLIDATION AND SUBDIVISION OF LOTS 40 AND 41 IN BLOCK 14 OF UNIVERSITY HEIGHTS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO AMENDED MAP THEREOF MADE BY G.A. D'HEMECOURT, FILED IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY, IN BOOK 8, PAGE 36, ET SEQ OF US PENDENTS, TOGETHER WITH THOSE PORTIONS OF UTAH STREET AND UNNAMED ALLEYS AS DEDICATED FOR PUBLIC USE.

SUBDIVISION GUARANTEED BY: CHICAGO TITLE COMPANY ORDER NO. 830014085-US0

THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 1330 ET. SEQ. OF THE CIVIL CODE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. THE PLANNING COMMISSION RESOLUTION NO. 3851-PC DATED 2/3/05 APPROVES 6 RESIDENTIAL CONDOMINIUM UNITS.

(STATE OF CALIFORNIA)
(COUNTY OF SAN DIEGO)

ON 2/16/08 BEFORE ME Maria Dolores Regan A NOTARY PUBLIC PERSONALLY APPEARED,

Olen Woodson Mercer and Barbara Ann Mercer

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/they EXECUTED THE SAME IN HIS/HER/their AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/their SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT. WITNESS MY HAND.

SIGNATURE Maria Dolores Regan
PRINT NAME Maria Dolores Regan

A NOTARY PUBLIC IN AND FOR THAT STATE

MY COMMISSION EXPIRES ON Dec 2, 2008

MY PRINCIPAL PLACE OF BUSINESS IS IN San Diego COUNTY

COMMISSION # OF NOTARY: 1530827

CITY CLERK'S CERTIFICATE

I, CITY CLERK OF THE CITY OF SAN DIEGO, CALIFORNIA, HEREBY CERTIFY THAT THE CITY ENGINEER HAS APPROVED THIS SUBDIVISION MAP. I ALSO CERTIFY THAT PROPER PUBLIC NOTICE HAS BEEN GIVEN OF THAT APPROVAL ON _____ AND THAT THE LEGAL APPEAL PERIOD HAS EXPIRED.

IN WITNESS WHEREOF THESE PRESENTS, I HEREBY EXECUTE AND ATTEST BY SEAL

THIS _____ DAY OF _____, 2008
ELIZABETH MALAND
CITY CLERK

BY _____
DEPUTY CITY CLERK

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF OLEN AND BARBARA MERCER IN JANUARY 2008. I HEREBY STATE THAT THE MONUMENTS ARE OF THE CHARACTER INDICATED AND OCCUPY THE POSITIONS INDICATED, AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, (SEE LEGEND ON SHEET 2) AND THAT THIS SUBDIVISION MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

BY: Brian C. Regan
BRIAN C. REGAN LS 5499
EXPIRATION: 9-30-10
DATE: 2-6-08



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT THIS MAP WAS EXAMINED BY ME OR UNDER MY DIRECT SUPERVISION; THAT IT SUBSTANTIALLY CONFORMS TO THE TENTATIVE MAP, IF ANY, AND ANY APPROVED ALTERATIONS THEREOF; THAT IT COMPLIES WITH THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP AND THAT IT IS TECHNICALLY CORRECT. I ALSO CERTIFY THAT THERE ARE NO UNPAID BONDS ISSUED UNDER STREET IMPROVEMENT ACTS OF THE STATE OF CALIFORNIA AGAINST THIS SUBDIVISION.

AFSHIN OSKOWI CITY ENGINEER

BY: GREGORY B. HOPKINS DEPUTY
LS 7730

DATE: _____

CLERK OF THE BOARD OF SUPERVISORS STATEMENT

I, THOMAS J. PASTUSZKA, CLERK OF BOARD OF SUPERVISORS, HEREBY CERTIFY THAT THE PROVISIONS OF THE SUBDIVISION MAP ACT (DIVISION 2 OF TITLE 7 OF THE GOVERNMENT CODE) REGARDING (A) DEPOSITS FOR TAXES, AND (B) CERTIFICATION OF THE ABSENCE OF LIENS FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES EXCEPT THOSE NOT YET PAYABLE, HAVE BEEN COMPLIED WITH.

THOMAS J. PASTUSZKA
CLERK OF THE BOARD OF SUPERVISORS

BY: _____
DEPUTY

DATE: _____

RECORDER'S STATEMENT

FILE NO. _____
FILED THIS _____ DAY OF _____, 2008 AT _____ AM/PM.
IN BOOK _____ PAGE _____ AT THE REQUEST OF OLEN WOODSON MERCER.

GREGORY J. SMITH
COUNTY RECORDER
FEE: _____

BY: _____
DEPUTY COUNTY RECORDER

000412



000412

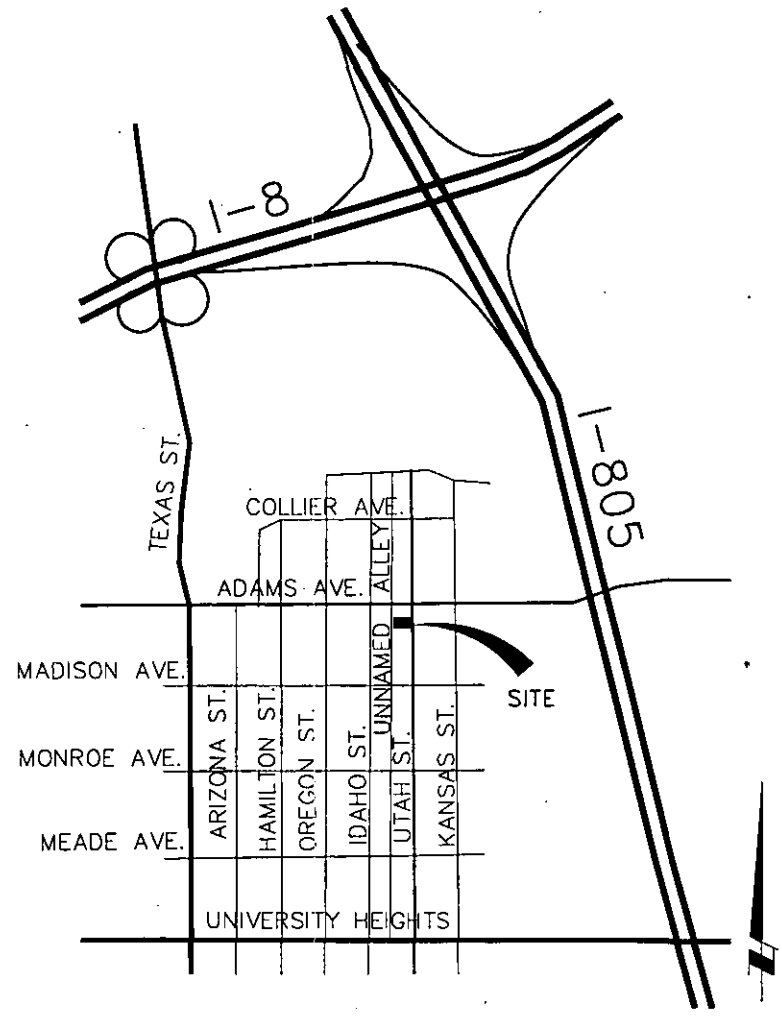
000412



000412

4666 UTAH STREET CONDOMINIUMS

SHEET 1 OF 1 SHEETS



VICINITY MAP

(NO SCALE)

SITE ADDRESS:
4666 UTAH ST.
SAN DIEGO, CA 92123
APN: 445-092-26